

On August 6, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27630. Adulteration of canned sardines. U. S. v. 1,030 Cases of Sardines. Decree of condemnation. Product released under bond. (F. & D. No. 39903. Sample No. 43706-C.)

This product was in part decomposed.

On or about June 29, 1937, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,030 cases of sardines at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce on or about May 13, 1937, by the Sunset Packing Co. from Pembroke, Maine, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Sunco Brand American Sardines."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

On June 30, 1937, the Sunset Packing Co. having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it should not be disposed of in violation of the Federal Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

27631. Adulteration of whitefish. U. S. v. 3 Boxes of Whitefish. Default decree of condemnation and destruction. (F. & D. No. 39908. Sample No. 26572-C.)

This product was infested with parasitic worms.

On June 10, 1937, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of three boxes of whitefish at New York, N. Y., alleging that the article had been shipped by H. Meyer from Montreal, Canada, to New York, N. Y., on or about June 8, 1937, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Products of Canada."

The article was alleged to be adulterated in that it consisted in part of a filthy animal substance and in that it consisted of portions of animals unfit for food.

On June 25, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27632. Adulteration and misbranding of butter. U. S. v. One Can of Butter. Default decree of condemnation and destruction. (F. & D. No. 39909. Sample No. 31644-C.)

This product contained less than 80 percent of milk fat.

On June 11, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one can of butter at Cincinnati, Ohio, consigned on or about June 9, 1937, alleging that the article had been shipped in interstate commerce by Lee House from Crawford, Ky., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, which it purported to be.

It was alleged to be misbranded in that it was sold as and purported to be butter, whereas it was not butter since it contained less than 80 percent of milk fat.

On June 18, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27633. Adulteration and misbranding of butter. U. S. v. 16 Pounds of Butter. Default decree of condemnation and destruction. (F. & D. No. 39910. Sample No. 37070-C.)

This product was deficient in butterfat.

On June 14, 1937, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 16 pounds of butter at Cin-

cinnati, Ohio, consigned on or about June 10, 1937, alleging that the article had been shipped in interstate commerce by H. B. Gevedon from Panama, Ky., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, which it purported to be.

It was alleged to be misbranded in that it was sold as and purported to be butter, whereas it was not butter since it contained less than 80 percent of milk fat.

On June 18, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27634. Adulteration and misbranding of lemon cocktail mixer. U. S. v. 79 Gallons, 39 Gallons, and 127 Gallons of Lemon Cocktail Mixer. Default decrees of condemnation and destruction. (F. & D. Nos. 39918, 39919, 39936. Sample Nos. 35223-C, 35224-C, 56103-C.)

This product was labeled to convey the impression that it could be used as a base for fruitade. It consisted, however, of a mixture of water, artificial color, lemon oil flavor, and citric acid, containing little or no lemon juice. The label of a portion failed to bear a statement of the quantity of contents of the containers.

On June 26 and July 1, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 245 gallons of cocktail mixer at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about June 2 and 7, 1937, by the Elby Extract Co. from New York, N. Y., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

The article was labeled variously: "Collins & Rickey Brand Lemon Cocktail Mixer * * * Packed Especially For Home Products Co. * * * Philadelphia, Pa."; "Corona Lemon Cocktail Mixer * * * Packed Especially for Corona Food Products Co. Philadelphia, Pa."; "Spatola Brand Lemon Cocktail Mixer * * * Packed expressly for Felix Spatola & Sons Philadelphia, Pa."

It was alleged to be adulterated in that an artificially colored mixture of water, lemon oil flavor, and citric acid had been substituted wholly or in part for the article; and in that it had been mixed and colored in a manner whereby inferiority was concealed.

It was alleged to be misbranded in that the following statements were false and misleading and tended to deceive and mislead the purchaser when applied to an article consisting essentially of water, artificial color, lemon oil flavor, and citric acid, with little or no lemon juice" (Collins & Rickey, and Spatola brands) "Lemon, (Corona brand) "Lemon * * * 2 tablespoons of Lemon Mixer produces the flavor and the tartness of one average lemon"; and in that the article was an imitation of another article. The Corona brand was alleged to be misbranded further in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package.

On July 21, 1937, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

27635. Adulteration and misbranding of tomato juice. U. S. v. 51 Cases of Canned Tomato Juice. Default decree of condemnation and destruction. (F. & D. No. 39922. Sample No. 41235-C.)

This product contained added water.

On June 26, 1937, the United States attorney for the District of Idaho, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 51 cases of canned tomato juice at Idaho Falls, Idaho, alleging that the article had been shipped in interstate commerce on or about May 13, 1937, by Varney Canning, Inc., from Roy, Utah, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: (Cans) "Leota Brand Tomato Juice. * * * Varney Canning Inc. Roy, Utah.

It was alleged to be adulterated in that water had been mixed and packed with it so as to reduce or lower its quality or strength and had been substituted wholly or in part for tomato juice, which it purported to be.